

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11	UNITED STATES OF AMERICA,)	No. CR-12-00495 SBA
12	Plaintiff,)	ORDER GRANTING STIPULATED
13	v.)	REQUEST TO SET CHANGE OF PLEA
14	JUAN MIGUEL ELLINGBERG,)	AND SENTENCING ON DECEMBER 4,
15	Defendant.)	2012 AND TO EXCLUDE TIME UNDER
16)	THE SPEEDY TRIAL ACT
17)	Date: August 30, 2012
)	Time: 9:30 a.m.
)	Court: Hon. Kandis A. Westmore

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19 The parties jointly requested that the August 30, 2012 status hearing as to defendant Juan
20 Miguel Ellingberg be vacated and that this matter be set for change of plea and sentencing on
21 December 4, 2012 at 10:00 a.m. The parties further requested that time be excluded under the
22 Speedy Trial Act between August 24, 2012 and December 4, 2012 to allow time for the Court to
23 consider the proposed plea agreement to be entered into by the defendant and the attorney for the
24 government, and to allow time for the preparation of a Presentence Investigation Report by the
25 United States Probation Office. Defendant agreed that the Court may review the pre-plea
26 Presentence Investigation Report even though he has not yet pleaded guilty. Good cause
27 appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

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STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON DECEMBER 4, 2012 & TO EXCLUDE TIME
No. CR-12-00495 SBA

1 **IT IS HEREBY ORDERED** that this matter is set for change of plea and sentencing on
2 December 4, 2012 at 10:00 a.m., and that time between August 24, 2012 and December 4, 2012
3 is excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G),
4 for consideration by the Court of a proposed plea agreement to be entered into by the defendant
5 and the attorney for the government.

6 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
7 Presentence Investigation Report.

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9 DATED: 9/4/12

Saundra B. Armstrong
10 HON. SAUNDRA BROWN ARMSTRONG
11 United States District Court Judge